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 5 Attorneys for Debtors

6
 7 UNITED STATES BANKRUPTCY COURT

8 DISTRICT OF NEVADA

9 In re)
 10 DANIEL GEORGE JOHN TARKANIAN) BK-S-13-20495-MKN
 11 and) Chapter 7
 12 AMY MICHELLE TARKANIAN,)
 13 Debtors.) Hearing Date: March 26, 2014
 Hearing Time: 2:30 P.M.

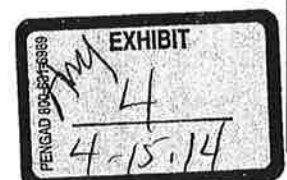
14 **DECLARATION OF DANIEL TARKANIAN IN SUPPORT OF OPPOSITION TO**
 15 **OBJECTION TO CLAIMS OF EXEMPTION**

16 I, Daniel Tarkanian, hereby declare as follows:

17 1. I have personal knowledge of the facts in this matter, and if called upon to testify,
 18 could and would do so. I make this Declaration in support of the Opposition to Objection to
 19 Claims of Exemption filed by Creditor Federal Deposit Insurance Corporation as Receiver for La
 20 Jolla Bank, FSB ("FDIC-R") in the above-captioned proceedings.

21 2. On December 19, 2013, I caused to be filed a petition in bankruptcy under
 22 Chapter 7 of the bankruptcy code.

23 3. My father's health has been failing quite rapidly over the past several years
 24 because of a serious injury he sustained in 2009. In April of 2012, he had a heart attack and
 25 aspirated causing his lungs to collapse.



1 4. My mother has been in poor health also and cannot care physically for my father
2 as she has been suffering from Lupus for a number of years and more recently been battling
3 cancer.

4 5. My residence, located at 3008 Campbell Circle, Las Vegas, Nevada, is located
5 just behind my parents' home. Although our backyards do not abut, my parents purchased a
6 walkway from their neighbor so that my family and I could walk directly from our backyard to
7 my parents' home. (Attached as Exhibit A are two maps from the Clark County Assessor's office
8 showing the proximity of our homes.) This provides me the opportunity to quickly respond to
9 their medical and other needs. In fact, I check on my parents at their home virtually every day
10 and on some occasions multiple times a day. My wife and our four children are also able to stay
11 in close contact with my parents because of the proximity of our homes.

12 6. Because of my parents' age and failing health, I had multiple discussions with my
13 parents and my siblings regarding the need to care for our parents. I am the oldest son of my
14 parents' four children and my parents and siblings have increasingly looked to me for leadership
15 and support—a role which I have welcomed.

16 7. When my father suffered his heart attack in April of 2012, my wife and I realized
17 we needed to take steps to remain in our residence in order to care for my parents. At that time
18 we did not have any equity in our home and the loan on the property was an Adjustable Rate
19 Mortgage ("ARM loan"), which was likely to substantially increase in monthly payments as
20 interest rates increased.

21 8. After consulting with family members, and nearly eighteen months prior to the
22 ultimate filing of the instant bankruptcy, I caused approximately \$398,701.92 to be paid toward
23 the principal of the loan on my residence in the following amounts: (1) \$300,000.00 on July 16,
24 2012, (2) \$50,000.00 on August 30, 2012, and (3) \$48,701.92 on September 13, 2012
25 ("Payments"). Prior to the Payments, we owed approximately \$648,701.92 on our residence.
26 The amount paid on the first mortgage was calculated to provide an estimated 80/20 loan to
27 value ratio on the residence so that we could refinance the home and remain there to care for my
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1 parents. It was my understanding at the time of the Payments that an 80/20 loan to value ratio
2 was required to qualify for a new home loan. We applied for refinancing of the home mortgage
3 in 2012 and 2013, but were turned down. The Payments were in no way made to hinder, delay,
4 or defraud my creditors. We knew when we made the Payments that we would not receive a
5 dollar for dollar increase in equity in our home. We did not make the Payments to acquire or
6 increase equity in our home; we made the Payments to enable us to remain, with our children, in
7 the home in order to care for my parents.

8 9. It is generally acknowledged that the Las Vegas metropolitan area saw one of the
9 largest declines in real estate prices during what is now called the Great Recession, and the value
10 of my home was no exception to the decline.

11 10. I purchased my residence in about June 2005, and I financed the purchase with an
12 ARM loan. At the time of the Payments, the home was underwater. I owed approximately
13 \$648,701.92, and the property was valued at \$342,369 by the Clark County Assessor's office for
14 the 2011-2012 tax year. (Attached as Exhibit B is a Notice of Value from the Clark County
15 Assessor's office for the 2011-2012 tax year.)

16 11. I was deeply concerned that interest rates could rise and, in turn, the monthly
17 payments on my ARM loan would be beyond my ability to continue to make monthly payments.
18 If I lost my home to foreclosure, I would be unable to provide immediate care for my parents.

19 12. FDIC-R has mischaracterized the Payments as a series of "complex financial
20 transactions" that were "carefully orchestrated" to increase the equity in my home.

21 13. The money for the payments derived from different sources, virtually none of
22 which would have been available to my creditors.

23 14. The first payment of \$300,000.00 came from \$50,000 I had access to and the
24 remaining \$250,000 came from repayment of a loan from an entity called JAMD, LLC
25 ("JAMD").

26 15. In 2002, JAMD commenced development of the Tarkanian Professional Center
27 located on the northeast corner of Warm Springs and Cimarron Road in Las Vegas. Over a
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1 period of twelve years, members of the Tarkanian family and its entities loaned JAMD over \$2
2 million to pay for the construction. The loans were memorialized with promissory notes, and the
3 loans and repayments of loans were kept as part of the records of JAMD. (Attached as Exhibit C
4 are records showing loan and repayments.) On September 29, 2006, I made my first loan to
5 JAMD. Over the course of seven and a half years, I loaned JAMD \$1,181,814.00 and was repaid
6 \$1,428,000. (The repayments included interest at 5%). Approximately \$984,900.00 in payments
7 were made to me prior to entry of the Judgment in California in favor of FDIC-R, and all of the
8 repayments were made prior to the FDIC registering the Judgment in Nevada on April 17, 2013.
9 (See Case No. 2:2:13-cv-760, Dkt. 1.)

10 16. Therefore, the payments from JAMD were not unusual and certainly not
11 "complex financial transactions" that were "carefully orchestrated." Exhibit C shows numerous
12 payments to myself during the time preceding the Payments. It was the ordinary course of
13 conduct to loan money to JAMD as needed and to be repaid when those funds were needed by
14 the lender.

15 17. The source of the \$250,000.00 loan repayment from JAMD to me was as follows:
16 (1) \$220,000.00 from a loan obtained from the Jerry and Lois Tarkanian Irrevocable Trust
17 ("Tarkanian Irrevocable Trust"), which amount represents two loans of \$110,000.00 each from a
18 life insurance policy in the name of Jerry Tarkanian and another policy in the name of Lois
19 Tarkanian; and (2) \$30,000.00 from the operating income of the Tarkanian Professional Center
20 and loans from others to JAMD. The primary asset of the Tarkanian Irrevocable Trust has
21 always been life insurance policies on my parents' lives. (Attached as Exhibit D is a Loan
22 History of some of the loans taken out on the insurance policy with Sun Life. Other loan
23 histories are attached to the Declaration of Janice Mock at Exhibit F (Dkt. 40-8, pp. 3-4)).

24 18. The source of the other loan payments on August 30, 2012, (\$50,000.00) and on
25 September 13, 2012, (\$48,701.92) were also loan repayments from JAMD, which were from the
26 operating income of the Tarkanian Professional Center and loans from others to JAMD.
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1 19. The amounts of the loan repayments from JAMD were not out of the ordinary.
2 For example, JAMD repaid to myself \$120,000.00 in one payment in 2008 and \$175,000.00 in
3 one payment in 2010. *See* Ex. C.

4 20. Just as with the \$220,000.00 loan in 2012 from the Tarkanian Irrevocable Trust to
5 JAMD, the \$175,000.00 in 2010 was another loan from the Tarkanian Irrevocable Trust to
6 JAMD. *See* Ex. D.

7 21. In the case of the 2010 payment, the money was used to pay off debt from my
8 campaign for the United State Senate, and the 2012 payment was used to pay down my mortgage
9 so that I could care for my parents.

10 22. These types of transactions were not unusual for other family members. For
11 example, over a six month period in 2011, JAMD repaid my parents over \$242,000 to repair and
12 retrofit their home for a handicap senior, and \$82,000.00 of this was derived from a loan from
13 the Tarkanian Irrevocable Trust. *See* Ex. D.

14 23. While the loan payments from JAMD may seem uncommon for another business
15 or when taken out of context, as FDIC-R has done, the loan repayments were not atypical for
16 JAMD.

17 24. In addition, the FDIC-R misrepresents to the Court the *status* of the money used
18 to pay down the mortgage. At the time the Payments were made, the money used for the
19 Payments was not subject to collection or execution by the FDIC. In fact, it wasn't until April
20 17, 2013, more than nine months after the first and largest Payment was made that the FDIC
21 even registered the judgment in Nevada. Although, the District Court entered Summary
22 Judgment in favor of the FDIC on May 26, 2012, a motion to reconsider the Judgment and an
23 Appeal to the 9th Circuit Court were pending when the Payments were made.

24 25. Furthermore, the FDIC-R mischaracterizes the timing of the payments. As
25 mentioned above, the first and largest Payment occurred nine months before the FDIC-R
26 registered the judgment in Nevada on April 17, 2013, and nineteen months prior to the petition
27 date, December 19, 2013.

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Pursuant to 11 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED this ____ day of March, 2014.

Daniel Tarkanian

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3 Pursuant to 11 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
4 and correct.

5 DATED this 12th day of March, 2014.

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7 Daniel Tarkanian
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EXHIBIT A

ASSESSOR'S PARCELS - CLARK CO., NV.
Michèle W. Shate - Assessor

NOTES

This map is for assessment use only and does NOT represent a survey. No liability is assumed for the accuracy of the data delineated herein. Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.

This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more detailed legal information.

USE THIS SCALE FOR THE MAP REDUCED FROM THE ORIGINAL

MAP LEGEND

PARCEL BOUNDARY	CONDOMINIUM UNIT	001 ROAD PARCEL NUMBER
SUB BOUNDARY	AIR SPACE PCL	001 PARCEL NUMBER
PAVED BOUNDARY	RIGHT OF WAY PCL	100 ACREAGE
ROAD EASEMENT	SUB-SURFACE PCL	202 PARCEL SUBSIDY NUMBER
MATCH / LEADER LINE		203 PLAT RECORDING NUMBER
HISTORIC LOT LINE		5 LOT NUMBER
HISTORIC SUB BOUNDARY		615 GGV LOT NUMBER
HISTORIC PAVED BOUNDARY		
SECTION LINE		

Scale: 1" = 200' Rev: 02/09/2011

32 **S 2 NW 4** **139-32-2**

T20S R61E

DEBTORS' PARENTS' RESIDENCE 201

DEBTORS' RESIDENCE

PT 139-32-101-001

EL RANCHO ALTA

RANCHO NEVADA ESTATES UNIT 4

RANCHO NEVADA ESTATES SUBDIVISION

RANCHO NEVADA ESTATES UNIT 2

RANCHO NEVADA ESTATES UNIT 1

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RANCHO NEV

EXHIBIT B

THIS IS A NOTICE OF VALUE

PARCEL NUMBER		TAX DISTRICT
LOCATION ADDRESS		
139-32-212-004		200
3008 CAMPBELL CIR		
TAX YEAR	TAX YEAR	
PRIOR	2011-2012	
TAXABLE VALUE	TAXABLE VALUE	
336,497	342,369	
ASSESSED VALUE	ASSESSED VALUE	
LAND	LAND	
42,000	49,000	
IMPROVEMENTS	IMPROVEMENTS	
75,774	70,829	
PERSONAL PROPERTY	PERSONAL PROPERTY	
0	0	
TOTAL ASSESSED VALUE	TOTAL ASSESSED VALUE	
117,774	119,829	
EXEMPTION	EXEMPTION	
0	0	

← Tax District where the parcel is located.

← Prior tax year and the upcoming tax year.

← Taxable value is the appraised value of the land plus the current replacement cost of the improvements, less depreciation, as determined by the Assessor.

← Assessed value is 35% of the taxable value stated above.

← Assessed land excludes improvements and personal property.

← Assessed improvements are all existing buildings, houses, or other structures erected or built upon the land, and common element distributions if any.

← Assessed personal property includes declared business personal property and any other items not considered real property, where applicable.

← Total assessed value is the sum of land, improvements, and personal property.

← Exemption is total exempt portion of assessed value for this parcel.

EXHIBIT C

1/1/10-12/31/12

J.A.M.O., LLC
General Ledger

Date	Reference	Description	Current Amount	
<u>21500 Loan Payable - DT</u>				
4/26/2010		692 Danny Tarkanian	175,000.00	
6/11/2010		586 Danny Tarkanian	10,000.00	
7/14/2010		601 Danny Tarkanian	5,000.00	
8/13/2010		411 Danny Tarkanian	25,000.00	
8/19/2010		425 Danny Tarkanian	25,000.00	
8/30/2010		2.08 Record August deposits- DT repay mistake	(25,000.00)	
1/28/2011		826 Danny Tarkanian	5,000.00	
2/23/2011		721 Danny Tarkanian	15,000.00	
3/25/2011		743 Danny Tarkanian	5,000.00	
4/22/2011		793 Danny Tarkanian	10,000.00	
5/15/2011		813 Danny Tarkanian	10,000.00	
6/1/2011		865 Danny Tarkanian	10,000.00	
7/5/2011		923 Danny Tarkanian	10,000.00	
8/1/2011		909 Danny Tarkanian	10,000.00	
9/1/2011		1006 Danny Tarkanian	10,000.00	
9/1/2011		1007 Danny Tarkanian	10,000.00	
10/1/2011		1018 Danny Tarkanian	10,000.00	
10/12/2011		1025 Danny Tarkanian	10,000.00	
11/1/2011		1031 Danny Tarkanian	10,000.00	
11/29/2011		1038 Danny Tarkanian	13,000.00	
12/19/2011		1047 Danny Tarkanian	10,000.00	
12/19/2011		1051 Danny Tarkanian	20,000.00	
12/20/2011		1054 Danny Tarkanian	10,000.00	
1/9/2012		1065 Danny Tarkanian	10,000.00	
2/6/2012		1068 Danny Tarkanian	10,000.00	
2/8/2012		1072 Danny Tarkanian	5,000.00	
3/8/2012		1085 Danny Tarkanian	10,000.00	
3/18/2012		1091 Danny Tarkanian	10,000.00	
4/25/2012		1104 Danny Tarkanian	20,000.00	
5/15/2012		1113 Danny Tarkanian	5,000.00	
6/15/2012		1120 Danny Tarkanian	20,000.00	
6/30/2012	Electronic Transfer	Danny Tarkanian	40,000.00	
7/7/2012		1123 Danny Tarkanian	7,500.00	
7/26/2012		1131 Danny Tarkanian	7,500.00	
8/31/2012		1146 Danny Tarkanian	5,084.00	
			<u>543,084.00</u>	543,084.00
<u>21972 Loan Payable DTZ</u>				
7/12/2012	Electronic Transfer	Danny Tarkanian	250,000.00	
8/2/2012	Electronic Transfer	Danny Tarkanian	50,000.00	
12/3/2012	Electronic Transfer	Danny Tarkanian	100.00	
8/11/2012		1139 Danny Tarkanian	2,500.00	
8/22/2012		1143 Danny Tarkanian	50,000.00	
8/31/2012		1146 Danny Tarkanian	2,416.00	
12/2/2012		1184 Danny Tarkanian Salary	500.00	
12/2/2012		1182 Danny Tarkanian	2,500.00	
12/31/2012		1002 Danny Tarkanian	5,000.00	
			<u>363,016.00</u>	363,016.00
<u>61400 Professional Fees</u>				
12/31/2010		191 Danny Tarkanian	5,000.00	
3/25/2011		743 Danny Tarkanian	5,000.00	
11/29/2011		1038 Danny Tarkanian	7,000.00	
4/4/2012		1096 Danny Tarkanian	7,500.00	
5/1/2012		1108 Danny Tarkanian	7,500.00	

		7,500.00	
6/5/2012	1116 Danny Tarkanian	7,500.00	
7/6/2012	1125 Danny Tarkanian	7,500.00	
7/26/2012	1132 Danny Tarkanian	7,500.00	
8/31/2012	1146 Danny Tarkanian	7,412.50	
12/3/2012	1185 Danny Tarkanian Salary	<u>69,412.50</u>	69,412.50

		7,500.00	
<u>62010 Management Fees</u>			
4/4/2012	1096 Danny Tarkanian	7,500.00	
5/1/2012	1108 Danny Tarkanian	7,500.00	
6/5/2012	1116 Danny Tarkanian	<u>22,500.00</u>	22,500.00

		118.37	
<u>62310 Office Expenses</u>			
4/13/2011	782 Danny Tarkanian-Reimb for credit card exp	<u>250.00</u>	
4/5/2012	1100 Danny Tarkanian - Reimburse for Junior Achievement fund event	<u>368.37</u>	368.37
			<u>998,380.87</u>

	A	B	C	D	E	F	G	H	I
1	Advertising	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back			
2	TFLP	5,917	7/5/2006	Sansone	Adv. Tenants				
3	TFLP	975	7/17/2005	NAIOP	Membership	975			
4	TFLP	21	1/26/2007	Mercury	Printing				
5	JAMD	125	5/30/2007	DT	Adv. Colliers				
6	JAMD	32	3/5/2008	DT	misc. exp				
7									
8	Total	7,070							
9									
10	Bank Fees	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back			
11	Tark, LLC	10,000	11/7/2005	Silver State	Appraisal	10,000			
12	TFLP	1,169	3/6/2006	Silver State	Bank Fees				
13	TFLP	1,600	0/12/05	NV, First Bank	Line of credit	1,600			
14	TFLP	1,600	9/25/2005	NV, First Bank	Line of credit	1,600			
15	TFLP	1,821	11/3/2005	NV First Bank	Line of credit	1,821			
16	TFLP	1,615	11/28/2005	NV First Bank	Line of credit	1,615			
17	TFLP	1,789	12/26/2005	NV, First Bank	Line of credit				
18	TFLP	1,721	1/6/2006	NV First Bank	Line of credit				
19	Trust	86,719	5/16/2007	Chi Chi	Interest				
20	JAMD	84	1/25/2008	Carla Governale	Fed Express loan papers				
21	JAMD	34,350	4/1/2008	Stan Corp	Permanent bld #4				
22	JAMD	34,350	5/20/2008	Stan Corp	Permanent bld #4				
23	JAMD	9,450	6/5/2008	NSB	Appraisal				
24									
25	Total	142,468							
26									
27	Permits & Taxes	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back			
28	Trust	7,019	11/9/2006	Bentar	Arch/Power tax				
29	Tark, LLC	15,600	1/25/2006	CC Water Recl	Blding #2	15,600			
30	Tark, LLC	74,603	1/25/2006	CC Blding Dept	Blding #2	74,603			
31	Tark, LLC	17,079	1/25/2006	CC Blding Dept	Blding #4	17,079			
32	DT	81,346	11/10/2006	Bentar	Build #1 Permit				
33	TFLP	1,000	6/9/2004	Clark County	Drainage Fees	1,000			
34	TFLP	98,888	12/13/2005	LV Valley Water	Fees	98,888			
35	TFLP	165	8/21/2006	S. NV Health Dist	Fees				
36	TFLP	100	8/21/2006	Clark County	Fees				
37	TFLP	300	8/29/2006	Clark County	Fees				
38	TFLP	50	8/29/2006	Clark County	Fees				
39	TFLP	109	8/29/2006	Clark County Rec	Fees				
40	TFLP	44,000	8/29/2006	Clark County	Fees				
41	DT	56,000	8/29/2006	Clark County	Fees				
42	TFLP	302	6/20/2005	Clark County	Final Map	302			
43	TFLP	350	1/6/2006	LV Water Dist.	Fire Hydrant				
44	TFLP	500	1/6/2006	LV Water Dist.	Fire Hydrant				
45	TFLP	102	12/14/2005	Clark County	FM Myler Sub	102			
46	JAMD	800	1/31/2003	Beasley	Impact Study	800			
47	Tark, LLC	339	1/25/2006	CC Blding Dept	Masoney Wall	339			
48	TFLP	222	8/8/2005	CC Health Dist	Permit	222			
49	Trust	27,294	4/14/2005	Clark County	Permit/Bond	27,294			
50	TFLP	6,069	7/7/2005	CC Dev. Serv	Plan Check	6,069			
51	TFLP	6,234	7/7/2005	CC. Dev. Serv	Plan Check	6,234			
52	TFLP	945	7/7/2005	CC. Dev. Serv	Plan Check	945			
53	TFLP	600	10/8/2004	Clark County	Plan Review	600			
54	TFLP	300	10/8/2004	NV. Power	Plan Review	300			
55	TFLP	21,846	12/20/2005	Clark County	Plans Check	21,846			
56	TFLP	1,000	6/13/2005	NV. Power	Power Appl.	1,000			
57	Tark, LLC	50	1/25/2006	CC Water Recl	Receipt	50			
58	TFLP	50	6/20/2005	NPEP	Review Fees	50			
59	TFLP	402	8/12/2004	Clark County	Site Review	402			
60	TFLP	151	8/12/2004	Div. Water Res.	Site Review	151			
61	TFLP	101	8/12/2004	Nv. Div. Env. Prot.	Site Review	101			
62	TFLP	102	12/14/2005	Clark County	Survey Sub.	102			
63	TFLP	1,621	12/14/2005	Clark County	Tortoise fee	1,621			
64	TFLP	1,000	11/29/2004	Clark County	Traffic Study	1,000			
65	Tark, LLC	640	1/25/2006	CC Blding Dept	Trash Encl.	640			
66	TFLP	2,240	4/14/2005	LVVWater Dist	Water Review	2,240			
67	JAMD	1,916	2/10/2003	CC Planning	Zoning	1,916			
68	TFLP	35,884	7/19/2006	Chi Chi	Repay Loan for permits				

	A	B	C	D	E	F	G	H	I
69	Trust	6,483	5/1/2007 CC Treasurer		Traffic Share				
70	JAMD	1,906	10/21/2008 Bentar		Const permit fees				
71									
72									
73	Total	515,708	348,400 NSB Reimb.		165,402				
74									
75	Architect	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back			
76	TFLP	1,500	12/17/2002	Burke	Architect	<u>1,500</u>			
77	JAMD	1,500	2/14/2003	Burke	Architect	<u>1,500</u>			
78	JAMD	500	5/26/2004	H. Thompson	Architect	<u>500</u>			
79	TFLP	4,000	8/31/2004	Thompson	Architect	<u>4,000</u>			
80	TFLP	5,374	12/4/2004	Thompson	Architect	<u>5,374</u>			
81	TFLP	100,000	1/12/2005	Thompson	Architect				
82	TFLP	50,000	1/13/2006	Thompson	Architect				
83	TFLP	162	5/31/2006	Thompson	Architect				
84	LT	15,000	6/12/2006	Thompson	Architect				
85	Trust	30,000	6/12/2006	Thompson	Architect				
86	Tark, LLC	5,000	6/12/2006	Thompson	Architect				
87	Trust	6,928	10/6/2006	Thompson	Architect				
88	TFLP	387	12/12/2006	KKE	Architect				
89	TFLP	304	12/12/2006	KKE	Architect				
90	TFLP	93	5/17/2007	KKE	Architect				
91	TFLP	51	6/27/2007	KKE	Architect				
92	DT	84	8/28/2007	SCA Design	Architect				
93	DT	54	8/28/2007	KKE	Architect				
94	JAMD	23,794	9/24/2007	KKE	Architect				
95									
96	Total	244,731	220,937 NSB Reimbursement						
97									
98	Attorney Fees	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back			
99	TFLP	1,582	11/27/2006	Katz	Atty Fees				
100	TFLP	275	3/10/2006	DT	Corp fees				
101	TFLP	1,065	3/27/2007	Whitehead	Atty Fees				
102	TFLP	2,501	6/28/2007	Erickson	Atty Fees				
103	JAMD	360	3/5/2008	Kajjoka	Nail Salon lawsuit				
104									
105									
106	Total	5,763							
107									
108	Bonds	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back			
109	TFLP	33,297	12/19/2005	Leavitt Ins	Bond				
110	DT	50	12/12/2006	Clark County	Bond permit				
111	DT	33,297	12/7/2007	Leavitt Ins	Off-site Bond				
112	JAMD	5,461	4/4/2008	Leavitt Ins	Off-site Bond				
113	Total	72,105							
114									
115	Const. costs	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back	Reimbursed by Bentar- \$19,402		
116	DT	17,821	9/6/2006	Bentar	Dow				
117	JT	150,000	11/6/2006	Bentar	Const. Costs				
118	DT	150,000	11/6/2006	Bentar	Const. Costs				
119	TFLP	183,448	9/6/2006	Bentar	Steal Purchase				
120	DT	100,000	9/6/2006	Bentar	Steal Purchase				
121	JAMD	4,256	9/24/2007	Const. Pro. Serv	Const. Costs				
122	JAMD	2,972	10/10/2007	Able Lock & Key	Const. Costs				
123	JAMD	1,197	11/1/2007	B & F Const	Const. Costs				
124	JAMD	17,301	11/10/2007	Siemens	Security System				
125	JAMD	1,500	11/14/2007	LMS	Air Condition for TI				
126	JAMD	17,495	11/14/2007	LMS	Air Conditioning Syst.				
127	JAMD	7,775	12/6/2007	Siemens	Security System				
128	JAMD	1,500	1/25/2008	LMS	Air Cond. St. Rose				
129	JAMD	17,495	1/25/2008	LMS	Air Conditioning Syst.				
130	JAMD	777	2/1/2008	Prestige Plumbing	Air Cond. Problem				
131	JAMD	2,800	4/10/2008	LV Advantage	Air conditioning system				
132									
133	Total	655,265							
134									
135	Engineering	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back			
136	TFLP	5,920	12/24/2002	JHR Ass.	Engineering	<u>5,920</u>			

	A	B	C	D	E	F	G	H	I
137	JAMD	2,693	1/10/2003	JHR Ass.	Engineering	2,693			
138	Trust	5,500	7/1/2004	WRG Designs	Engineering	5,500			
139	LT Trust	8,252	7/28/2004	WRG Designs	Engineering	8,252			
140	TFLP	14,111	8/31/2004	WRG Designs	Engineering	14,111			
141	TFLP	8,547	11/3/2004	WRG Designs	Engineering	8,548			
142	TFLP	26,967	1/4/2005	WRG Designs	Engineering	26,967			
143	TFLP	5,500	2/23/2005	WRG Designs	Engineering	5,500			
144	TFLP	13,369	2/23/2005	WRG Designs	Engineering	13,369			
145	TFLP	4,832	3/7/2005	WRG Designs	Engineering	4,832			
146	TFLP	9,200	3/7/2005	WRG Designs	Engineering	9,200			
147	Trust	5,082	4/18/2005	WRG Designs	Engineering	5,082			
148	TFLP	2,500	8/18/2005	WRG Designs	Engineering	2,500			
149	TFLP	3,558	8/18/2005	WRG Designs	Engineering	3,558			
150	TFLP	20,000	1/13/2006	WRG Designs	Engineering				
151	TFLP	1,123	2/6/2006	WRG Designs	Engineering				
152	JAMD	505	9/24/2007	WRG Designs	Engineering				
153	JAMD	1,141	11/14/2007	WRG Designs	Engineering				
154	JAMD	1,500	11/14/2007	WRG Designs	Engineering				
155	JAMD	3,500	1/12/2008	WRG Designs	Engineering				
156	JAMD	2,000	1/12/2008	WRG Designs	Rec. of Survey				
157	JAMD	1,300	2/15/2008	WRG Designs	Engineering				
158	JAMD	8,200	2/15/2008	WRG Designs	Rec. of Survey				
159	JAMD	480	5/5/2008	WRG Designs	Engineering				
160									
161									
162	Total	155,300		137,154 NSB Reimbursement					
163									
164	Developer fee	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back			
165	JAMD	25,000	4/18/2007	DT	Developer fee				
166	JAMD	5,000	5/7/2007	DT	Developer fee				
167	JAMD	30,000	6/1/2007	DT	Developer fee				
168	JAMD	35,000	8/1/2007	DT	Developer fee				
169	JAMD	10,000	1/25/2008	DT	Developer fee				
170									
171		105,000							
172	Commissions	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back			
173	TFLP	11,250	5/15/2007	CBRE	St. Rose- partial				
174	TFLP	7,200	5/25/2007	CBRE	St. Rose- Balance				
175	JAMD	21,954	9/12/2007	Colliers	Vanguard- half				
176	JAMD	9,668	10/9/2007	Colliers	Dr. K- half				
177	JAMD	11,354	10/10/2007	LV Dev.	Dunkin Donuts- half				
178	JAMD	23,895	10/10/2007	LV Dev.	Indigo Joe's- half				
179	JAMD	7,948	10/10/2007	LV Dev.	Platinum Dent- full				
180	JAMD	238	11/13/2007	LV Dev.	Correct Ind. Joe's 1/2				
181	JAMD	1,500	12/6/2007	Stacy-Sansone	Kidz Rule Lease				
182	JAMD	4,881	12/27/2007	Colliers	Symon 1/2				
183									
184		138,444							
185									
186	Property Taxes	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back			
187	TFLP	40,667	7/31/2006	CC Treasurer	Prop. Taxes				
188									
189									
190	Tenant Improvements	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back			
191	JAMD	38,555.50	12/20/2008	Indigo Joe's	25% TI	38,555.50			
192	JAMD	6,000	6/5/2008	Vanguard	Air Cond. System	6,000			
193	JAMD	2,591.41		2008 SCA Design	Dr. K architect				
194	JAMD	2,099.25	7/7/2008	Sansone	Space planning				
195									
196									
197									
198	Misc.	Amt of Exp.	Date of Exp.	Entity	Reason for Expense	Paid Back			
199	JAMD	2,234.14	8/12/2008	Kevin Barry	Art in building #2				
200	JAMD	356.65	8/30/2008	Ad Images	Car Port Identifications				
201	JAMD	2,234.14	8/30/2008	Kevin Barry	Art in building #2				
202	JAMD	500	9/11/2008	CC Comp Planning	Zone Change				
203	JAMD	689.38	9/15/2008	HD Supply Fac. Main.	trash holders				
204	JAMD	292.08	9/22/2008	Kidz Rule	TI Const. Power bill				

	A	B	C	D	E	F	G	H	I
205	JAMD	1,895.32	9/22/2008	Interiorscapes	Blding #2 plants				
206	JAMD	3,900	9/24/2008	Intrepid Iron	Cover Trash Enclosure				
207	JAMD	2,356	9/25/2008	Sansone	Waste Containers				
208	JAMD	1,650	10/11/2008	CC Comp Planning	Zone Change				
209	JAMD	734	10/21/2008	Bentar	Const. power and water				
210	JAMD	2,500	11/3/2008	Electromax	electrical for pylon				
211	JAMD	162	28-Dec	Ad Images	Tenants signs				
212	JAMD	407	5-Feb	Ad Images	Tenants signs				
213	JAMD	119	2/11/2009	Patrick Signs	Dust sign				
214	JAMD	283	3/10/2009	Progressive Wholesale	lighting fixtures MSF				
215	Total	20,312.91							

	A	B	C	D	E	F	G	H	I	J
1	TPC Loan Summary	Principal	Interest	Paid Back	Date	Add. Loan				
2	TFLP- 5%	20,000			2/15/2008					
3		55,000			2/15/2008	35,000				
4		72,000				17,000				
5		0	960	72,960	4/15/2008					
6		75,000			12/22/2008	75,000				
7		90,000			8/11/2009	15,000				
8		93,750	3,750		6/1/2010					
9		119,141	391		8/1/2010	25,000				
10		121,127	1,986		1/1/2011					
11										
12										
13										
14										
15										
16	DT- 5%	200,000			9/1/2007					
17		248,333	3,333		11/14/2007	45,000				
18		256,500	8,167		4/15/2008					
19		601,517	855	65,000	5/1/2008	344,162				
20		631,517			5/21/2008	30,000				
21		595,223	3,706	40,000	7/15/2008					
22		646,463	1,240		8/20/2008	50,000				
23		718,045	1,582		9/15/2008	70,000				
24		743,045			9/28/2008	25,000				
25		834,158	1,113		10/8/2008	100,000				
26		839,825	5,667		12/1/2008					
27		889,825			12/22/2008	50,000				
28		942,696	2,871		12/25/2008	50,000				
29		822,696		120,000	12/31/2008					
30		851,698	4,002		2/26/2009	25,000				
31		893,825	28,127		3/7/2010	50,000				
32		758,604	3,779	175,000	4/15/2010					
33		751,538	2,934	10,000	6/1/2010					
34		748,465	1,927	5,000	7/1/2010					
35		725,379	1,914	25,000	8/1/2010					
36		727,649	7,270	5,000	1/1/2011					

	A	B	C	D	E	F	G	H	I	J
74										
75	Diamants	73,005			5/1/2008					
76										
77										
78										
79	George	18,270			5/1/2008					
80										
81										
82										
83										
84										
85	Jerry Tarkanian- 5%	300,000			4/15/2008					
86		299,250	1,250	2,000	5/15/2008					
87		298,497	1,247	2,000	6/15/2008					
88		297,741	1,244	2,000	7/15/2008					
89		296,982	1,241	2,000	8/15/2008					
90		296,219	1,237	2,000	9/15/2008					
91		295,453	1,234	2,000	10/15/2008					
92		294,684	1,231	2,000	11/15/2008					
93		293,912	1,228	2,000	12/15/2008					
94		293,137	1,225	2,000	1/15/2009					
95		345,580	2,443		3/16/2009	50,000				
96		360,739	20,159	5,000	5/15/2010					
97		357,242	1,503	5,000	6/15/2010					
98		353,731	1,489	5,000	7/1/2010					
99		350,205	1,474	5,000	8/1/2010					
100		346,664	1,459	5,000	9/1/2010					
101		343,108	1,444	5,000	10/1/2010					
102		339,537	1,429	5,000	11/1/2010					
103		335,951	1,415	5,000	12/1/2010					
104		332,351	1,400	5,000	1/1/2011					

	A	B	C	D	E	F
1	<u>TPC Loan Summary</u>	<u>Principal</u>	<u>Interest</u>	<u>Paid Back</u>	<u>Date</u>	<u>Add. Loan</u>
2	TFLP-	121,127			1/1/2011	
3		156,127			12/20/2011	35,000
4						
5						
6	DT-	722,649		5,000	1/1/2011	
7		717,649		5,000	2/1/2011	
8		702,649		15,000	3/1/2011	
9		692,649		10,000	4/1/2011	
10		682,649		10,000	5/1/2011	
11		672,649		10,000	6/1/2011	
12		662,649		10,000	7/1/2011	
13		652,649		10,000	8/1/2011	
14		642,649		10,000	9/1/2011	
15		632,649		10,000	9/1/2011	
16		622,649		10,000	10/1/2011	
17		612,649		10,000	10/15/2011	
18		592,649		20,000	12/1/2011	
19		582,649		10,000	12/19/2011	
20		562,649		20,000	12/20/2011	
21		552,649		10,000	12/21/2011	
22						
23						
24	Jerry and Lois Trust-	148,528			1/1/2011	
25		230,837			2/15/2011	82,000
26		231,318			3/1/2011	
27		239,029			11/1/2011	
28						
29						
30	LT-	154,438		5,000	12/1/2010	
31		149,438		5,000	1/1/2011	
32		144,438		5,000	2/1/2011	
33		131,938		12,500	3/1/2011	
34		119,438		12,500	4/1/2011	
35		106,938		12,500	5/1/2011	
36		94,438		12,500	6/1/2011	
37		81,938		12,500	7/1/2011	
38		41,938		40,000	11/1/2011	
39		31,938		10,000	12/19/2011	
40		21,938		10,000	12/20/2011	
41						
42						
43						
44	Jerry Tarkanian-	335,951		5,000	12/1/2010	
45		330,951		5,000	1/1/2011	
46		320,951		10,000	2/1/2011	
47		290,951		30,000	3/1/2011	
48		260,951		30,000	4/1/2011	
49		230,951		30,000	5/1/2011	
50		200,951		30,000	6/1/2011	
51		170,951		30,000	7/1/2011	
52		140,951		30,000	8/1/2011	

	A	B	C	D	E	F
53		133,451		7,500	9/1/2011	
54		118,451		15,000	10/1/2011	
55		98,451		20,000	11/1/2011	
56		88,451		10,000	12/1/2011	
57		68,451		20,000	12/15/2011	
58		78,451		10,000	12/19/2011	
59		68,451		10,000	12/20/2011	
60						
61						
62	Mike Brown-	10,000			2/10/2011	
63		25,000			6/1/2011	15,000
64						
65						
66						
67						
68						
69						
70	Pam Tarkanian-	5,000			4/1/2011	
71		10,000			6/1/2011	5,000
72		20,000			8/1/2011	10,000
73						
74						
75						
76	Lois Tarkanian Irr. Trust -	40,000			4/1/2011	
77		35,000		5,000	11/1/2011	
78						
79						
80						
81						
82						
83	Pete Zopolos-	15,000			2/15/2011	15,000
84		35,000			4/1/2011	20,000
85		45,000			7/1/2011	10,000
86		60,000			8/1/2011	15,000
87		72,000			9/1/2011	12,000
88		82,000			10/15/2011	10,000
89						
90						
91						
92						
93	Mike Toney-	20,000			3/15/2011	
94		45,000			5/1/2011	25,000
95		70,000			8/1/2011	25,000
96		82,500			11/15/2011	12,500
97						
98						
99	Pam King-	45,407			5/1/2008	
100						
101						
102						
103	Diamants -	73,005			5/1/2008	

	A	B	C	D	E	F
104						
105						
106						
107	George	18,270			5/1/2008	

	A	B	C	D	E	F
1	<u>TPC Loan Summary</u>	<u>Principal</u>	<u>Interest</u>	<u>Paid Back</u>	<u>Date</u>	<u>Add. Loan</u>
2	TFLP-	162,183	6,056		12/20/2011	35,000
3		161,440	6,758	7,500	11/1/2012	
4		159,613	673	2,500	12/3/2012	
5		160,278	665		12/31/2012	
6						
7						
8	DT-	552,649		10,000	12/21/2011	
9						
10						
11	Jerry and Lois Trust-	239,029			11/1/2011	
12		468,989	9,960		9/1/2012	220,000
13		474,851	5,862		12/31/2012	
14						
15						
16	LT-	21,938		10,000	12/20/2011	
17		2,167	229	20,000	3/7/2012	
18		2,257	90		12/31/2012	
19						
20	Jerry Tarkanian-	68,451		10,000	12/20/2011	
21		61,018	2,567	10,000	9/25/2012	
22		54,026	508	7,500	12/3/2012	
23		54,251	225		12/31/2012	
24						
25						
26	Mike Brown-	25,208	208		6/1/2011	15,000
27		31,678	1,470		8/1/2012	5,000
28		36,810	132		9/1/2012	5,000
29		37,423	613		12/31/2012	
30						
31						
32						
33	Pam Tarkanian-	20,126	84		8/1/2011	10,000
34		20,545	419		12/31/2012	
35						
36						
37	Lois Tarkanian Irr. Trust -	35,000		5,000	11/1/2011	
38		30,438	438	5,000	2/8/2012	
39		26,580	1,141	5,000	11/1/2012	
40		26,801	221		12/31/2012	
41						
42						
43	TBA	40,000			6/30/2012	
44		90,167	167		8/1/2012	50,000
45		111,294	1,127		11/1/2012	20,000
46		112,221	927		12/31/2012	
47						
48						
49						
50	Pete Zopolos-	83,432	456		10/15/2011	10,000
51		99,301	869		1/3/2012	15,000

	A	B	C	D	E	F
52		110,129	827		3/1/2012	10,000
53		127,423	2,294		8/1/2012	15,000
54		149,016	1,593		11/1/2012	20,000
55		159,636	620		12/1/2012	10,000
56		160,301	665		12/31/2012	
57						
58						
59	Mike Toney-	84,305	1,032		11/15/2011	12,500
60		84,832	527		12/31/2012	
61						
62						
63	Pam King-	45,407			5/1/2008	
64						
65						
66						
67	Diamants -	73,005			5/1/2008	
68						
69						
70						
71	George	18,270			5/1/2008	

	A	B	C	D	E	F
1	TPC Loan Summary- 2013	Principal	Interest	Paid Back	Date	Add. Loan
2	Danny Tarkanian	1,146		1,146	1/1/2013	
3		0	15	1,161	4/1/2013	
4						
5	TFLP	160,278			1/1/2013	
6						
7						
8	Jerry and Lois Trust-	474,851			1/1/2013	
9		469,319	2,968	8,500	2/14/2013	
10		470,274	1,955	1,000	10/8/2013	
11		72,134	1,860	400,000	11/8/2013	
12		0	150	72,284	11/23/2013	
13						
14	JT	54,251			1/1/2013	
15		46,751		7,500	1/3/2013	
16		39,251		7,500	1/14/2013	
17		31,751		7,500	2/1/2013	
18		24,251		7,500	3/1/2013	
19		16,751		7,500	4/1/2013	
20						
21	LT	2,257		2,257	1/1/2013	
22		0	28	2,285	4/1/2013	
23						
24	Mike Brown-	37,423			1/1/2013	
25						
26						
27	Pam Tarkanian-	20,545			1/1/2013	
28						
29						
30	Lois Tarkanian Irr. Trust -	27,967			1/1/2013	
31				5,000	10/1/2013	
32				5,000	10/31/2013	
33						
34	TBA	112,221			1/1/2013	
35						
36						
37	Pete Zopolos-	160,301			1/1/2013	
38						
39						
40	Mike Toney-	84,832			1/1/2013	
41						
42						
43	Pam Tarkanian	45,407			5/1/2008	
44						
45						
46	Jodie Diamant	73,005			5/1/2008	

	A	B	C	D	E	F
47						
48						
49	George Tarkanian	18,270			5/1/2008	
50						
51	Tark, LLC	635,000			11/7/2013	
52				35,000	12/23/2013	
53						
54						
55						
56	Total					

EXHIBIT D

~~Case 13-20495-mkn Doc 70 Entered 03/12/14 23:56:26 Page 31 of 33~~**Loan History****Policy Number:** [REDACTED]**Insured:** Jerry and Lois Tarkanian**Owner:** The Jerry and Lois Tarkanian 1992 Irrevocable Trust**History Duration:** October 26, 2009 to October 29, 2013

Date	Transaction	Debit	Credit	Balance
	Balance as of 10/26/09	\$41,419.30		\$41,419.30
26-Oct-09	Automatic Premium Loan	\$14,087.98		\$55,507.28
14-Jan-10	Loan Advance	\$20,000.00		\$75,507.28
20-Mar-10	Loan Advance	\$200,000.00		\$275,507.28
17-Aug-10	Loan Advance	\$100,000.00		\$375,507.28
26-Oct-10	Interest Added	\$11,911.44		\$387,418.72
26-Oct-10	Automatic Premium Loan	\$16,457.57		\$403,876.29
26-Oct-11	Interest Added	\$20,395.75		\$424,272.04
26-Oct-12	Interest Added	\$21,425.74		\$445,697.78
2-Nov-12	Repayment		\$20,935.00	\$424,762.78
26-Oct-13	Interest Added	\$21,258.21		\$446,020.99
	Interest as of 10/28/13	\$122.21		\$446,143.20

CERTIFICATE OF SERVICE

I hereby certify that on March 12, 2014, I caused to be served a true and correct copy of
DECLARATION OF DANIEL TARKANIAN IN SUPPORT OF OPPOSITION TO OBJECTION TO
CLAIMS OF EXEMPTION in the following manner:

☒ **a. Electronic Service**

Under Administrative Order 02-1 (Rev. 8-31-04) of the United States Bankruptcy Court for the District of Nevada, the above-referenced documents were electronically filed on the date hereof and served through the Notice of Electronic Filing automatically generated by that Court's facilities.

☐ **b. United States Mail**

By depositing a copy of the above-referenced documents for mailing in the United States Mail, first class postage prepaid, at Las Vegas, Nevada, to the parties listed on the attached service list, at their last known mailing addresses, on the date above written.

☐ **c. Personal Service:**

☐ For a party represented by an attorney, delivery was made by handing the documents to the attorney or by leaving the documents at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the documents in a conspicuous place in the office.

☐ For a party, delivery was made by handing the documents to the party or by leaving the documents at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ **d. By direct email:**

Based upon the written agreement of the parties to accept service by email or a court order, I caused the documents to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ **e. By fax transmission:**

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the documents to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

1
2 [] f. **By messenger:**

3 I served the documents by placing them in an envelope or package addressed to the
4 persons at the addresses listed below and providing them to a messenger for service.
(A declaration by the messenger must be attached to this Certificate of Service).

5 **I declare under penalty of perjury that the foregoing is true and correct.**

6 Signed on: March 12, 2014

7 /s/ Suzanne Alexander
8 An employee of Durham Jones & Pinegar
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